

| Notice of Allowability | Application No. | Applicant(s) | |
|-------------------------------|------------------------|---------------------|--|
| | 09/741,118 | KOSHINO ET AL. | |
| | Examiner | Art Unit | |
| Christopher O. Onuaku | | 2616 | |

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to _____.
2. The allowed claim(s) is/are 1-15 (now renumbered 1-3,5-8,4&9-15, respectively).
3. The drawings filed on 12/20/00 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/20/00; 2/17/04;
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-15 are allowable over the prior art of record.
2. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the invention relates to a data recording apparatus and a data recording method for recording audio-visual data to a disk drive.

The closest references Ogus (US 6,587,875) teach computer network protocols and computer programs that implement such protocols, and Okazaka et al (US 5,819,048) teach an information data processing apparatus, including a data amount control when information data is transmitted to a plurality of terminal apparatuses as in a television conference system.

However, Ogus and Okazaki et al fail to explicitly disclose a data recording apparatus, where the apparatus comprises wherein the data transmitting and receiving means sequentially transfers the data received from the outside into the buffer controlling means, and the buffer controlling means stores the transmitted data into the buffer and notifies the completion of receiving a data block to the data recording determining means at each time when the data block in a predetermined unit is stored in the buffer.

Regarding claim 9, the invention relates to a data recording apparatus and a data recording method for recording audio-visual data to a disk drive.

The closest references Oguus (US 6,587,875) teach computer network protocols and computer programs that implement such protocols, and Okazaka et al (US 5,819,048) teach an information data processing apparatus, including a data amount control when information data is transmitted to a plurality of terminal apparatuses as in a television conference system.

However, Oguus and Okazaki et al fail to explicitly disclose a data recording method, where the method comprises the steps of sequentially transferring the data received from the outside into the buffer controlling means by the data transmitting and receiving means, storing the transmitted data into the buffer by the buffer controlling means, and notifying the completion of receiving a data block to the data recording determining means at each time when the data block in a predetermined unit is stored in the buffer.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hirasawa et al (US 6,535,921) teach an information sending and receiving system in which an information sending equipment and at least one information receiving equipment send and receive information through a transmission medium, a management message is sent from the information sending equipment to the information receiving equipment thereby to create a list of a content code expressing a

data message registered on the information receiving equipment side within the information receiving equipment.

Onoda et al (US 6,073,180) teach a high speed batch file transfer method, apparatus, and storage medium storing a program for executing the transfer method which are suitable for use in conducting communication between personal computers, work stations, various communication terminals and the of devices which are connected in a network.

Yamauchi et al (US 6,047,103) teach an information recording medium for recording an information signal representing at least one of program data, audio information, and video information, data transmitting device/method for retrieving the information signal from the information recording medium, a data receiving device for reproducing a video signal from the retrieved video digital data, and an information processing apparatus including the data transmitting device and the data receiving device.

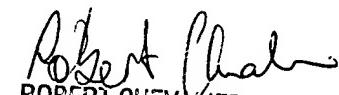
Austin (US 6,470,139) teaches a data transfer system for transferring data between a computer and a video recorder/player, including the backup of data from a computer onto a tape

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher O. Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


COO
2/8/05


ROBERT CHEVALIER
PRIMARY EXAMINER